
IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

In Re:)	Case No.: 15-42927
)	
Maria Krysciak)	Chapter 13
)	
Debtor(s))	Judge: A. Benjamin Goldgar

NOTICE OF MOTION

TO: Maria Krysciak, 5011 North Nashville Chicago, IL 60656 *via mail*
Aura Mortgage Advisors, LLC, 10 Malcolm X Blvd. Ground Floor Roxbury MA, 02119
via mail
Trustee Marilyn O Marshall, 224 South Michigan Ste. 800, Chicago, IL 60604 *via ECF clerk's electronic delivery system*
U.S. Trustee, 219 S. Dearborn Suite 873, Chicago IL 60604 *via ECF clerk's electronic delivery system*

See attached service list

PLEASE TAKE NOTICE that on **March 6, 2018 at 9:30 am** I shall appear before the Honorable Judge A. Benjamin Goldgar at the Dirksen Federal Court, 219 S. Dearborn, Courtroom 642, Chicago, Illinois 60604 or any Judge presiding and then and there present the **Motion**, a copy of which is attached hereto.

By: /s/ David H. Cutler
David H. Cutler

CERTIFICATE OF SERVICE

I, David H. Cutler, hereby certify that I caused to be served, electronically or through U.S. Mail, a copy of the foregoing Notice and Motion upon the parties named above on February 13, 2018 before the hour of 8:00 p.m.

By: /s/ David H. Cutler
David H. Cutler, esq.
Counsel for Debtor(s)
Cutler & Associates, Ltd.
4131 Main St.
Skokie, IL 60076
Phone: (847) 673-8600

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MOTION TO MODIFY PLAN POST CONFIRMATION

NOW COMES the Debtor, Maria Krysiak (hereafter referred to as “the Debtor”), by and through her attorneys, The Law Offices of Cutler & Associates, Ltd., to present this Motion and state as follows:

1. This Court has jurisdiction over this proceeding pursuant to 28 USC 1334 and this is a "core proceeding" under 28 USC 157(b)(2).
2. The Debtor filed for relief under Chapter 13 of the United States Bankruptcy Code on December 22, 2015 and her Plan was confirmed.
3. The Debtor’s confirmation Order provides for a plan payment of \$340 for 2 months then \$590 for 58 months until the end of the plan with unsecured creditors receiving 100% of their unsecured claims.
4. The Debtor’s plan payment was increased from \$340 a month to \$590 a month with the plan at 100% due to the fact that the debtor was not paying a mortgage at the time of filing and that expense was “0” on her amended schedule J that was filed on 2/4/2016.
5. The Debtor is now paying a mortgage in the amount of \$2,042.95 a month and proof of the mortgage payment is evidenced by the first payment letter sent to the debtor by Aura Mortgage Advisors, LLC, the closing disclosure and proof from debtor’s online Chase

checking account showing the deductions for the mortgage payments she is currently paying. (See Exhibit A)

6. The Debtor is now asking that since her monthly expenses have increased and she has less disposable income if her plan payment can be lowered to the original amount of \$340 a month for the remainder of the plan.
7. The Debtor has paid in to date \$14,500 into the Chapter 13 plan and is current on her plan payments.
8. The Debtor has filed an amended schedule I and J in her bankruptcy case to include the mortgage payment.
9. The Debtor is looking to modify her plan as her monthly expenses have increased to lower the plan payment to \$340 a month for the remainder of the plan.
10. The Debtor seeks to modify the plan to lower the plan payment to \$340 a month for the remainder of the plan commencing with the March 2018 payment.

WHEREFORE, the Debtor respectfully requests that this Court modify the Debtor's Plan Post Confirmation to lower the plan payment to \$340 a month for the remainder of the plan commencing with the March 2018 payment and for such further relief that this Court may deem just and proper.

Dated: February 13, 2018

Respectfully Submitted,

By: /s/ David H. Cutler
David H. Cutler, esq.,
Counsel for Debtor(s):
Cutler & Associates, Ltd.
4131 Main St.
Skokie, IL 60076
Phone: (847) 673-8600